

REMARKS

Applicant Wishes to thank the Examiner for indicating that Claims 2, 3 and 6 contain allowable subject matter.

In view of the Examiner's Action of May 28, 2004, Claim 1 had been amended to correct an informality and the drawings (Figure 3) have been corrected. Other than the amendment to Claim 1, Applicant is resubmitting the claims as filed, as it is believed these claims do patentably distinguish from the cited and applied reference.

1. The objection to the drawings is addressed by amending figure 3 to include the reference numerals 138, 140 and 146. A replacement sheet including Figure 3 is presented herewith along with an annotated copy showing in red the changes made.

2. Claims 1-6 stand rejected under 35 U.S.C. 112 as being indefinite in failing to provide a proper antecedent for the term "the driven disc". Claim 1 has been amended to delete reference to "the driven disk" and instead reference now is made to "the drum" which does have an antecedent in the preamble of the claim. This should not raise an issue of new matter. The specification recites that the driven disk 136 is fixedly connected to the drum 160 and the figures show the friction disc or brake pad 134 as lying between the drive disc 133 and the driven disc 136 so the friction disc inherently is located between the driven disk 136 and the drum as now set out in Claim 1.

3. Claims 1, 4, 5 and 7-10 stand rejected under 35 U.S.C. 102(b) as being anticipated by Inoue, et al (US 5, 570, 872). For a rejection under 35 U.S.C. 102(b) to stand, each element of the claim(s) must be found in a single reference. Applicant does not believe this is the case here.

Claim 1 calls for "a tensioning axle fixedly connected to the drum". In the reference the axel 5 is not so fixed. In the reference the "drum" 3 is on a shaft 4 which in turn is on the "axle" 5 wherein the shaft 4 and axel 5 are "relatively rotatable" (see Column 5, line 67 to Column 6, line 3). Accordingly, the so called

“drum 3” of the reference is “relatively rotatable” with respect to the axle 5 and is not “fixedly connected to the drum” as set out in Claim 1.

Claim 1 further calls for a tensioning nut connected to the tensioning threads “to selectively vary a maximum distance between the drive disc and the drum”. Applicant can find no mention in the reference wherein movement of the “tensioning nut 8” on the threads 21 acts to “selectively vary a maximum distance between the drive disc 10 and the drum 3”. Applicant accepts that the nut 8 can move on the threads 21 towards and away from the so called “driven disc 9” and the “drive disc 10”. However there is nothing indicating that such movement causes the distance between the “drive disc 10 and the drum 3” to vary. In fact the reference says that the axial movement of the driven member 7 with respect to the driving shaft 5 is restrained. This makes it clear that there can be no axial movement of the drive disc 10 (which is on the driven member 7) towards the drum 3 and that no such variation in distance can occur if the system is to be operative (see column 6, lines 56-65).

The distance between the drum 3 and the drive disc 10 appears to be fixed and the movement of the nut 8 does not alter this distance. In particular, the device transmits rotary motion by screwing the nut 8 against the driven disc 9 so the two are pressed together. This increases friction between the two, which allows the driven disc 9 to be rotated by the nut 8. Allowing the drive disc 10 to move towards the drum 3 as the nut is pressed against the driven disc would not increase friction and accordingly would thwart the transmission of rotary motion rendering the system inoperative.

Claims 7 and 9 also are not anticipated by the reference.

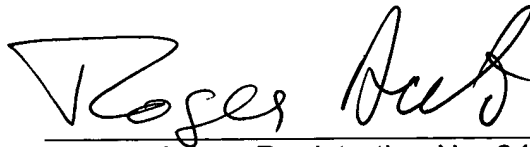
- The reference has no “motor” as such and therefore no “drive disc connected to the motor”.
- In the reference, the disc 9 is not “connected to the drum for rotation with the drum”. While it can be said that the reference shows a disc 9 connected to the axle 5, the drum 3 is “relatively rotatable” with respect to the axle. Accordingly, it cannot be said

that the disc 9 is connected to the drum for rotation with the drum
as claimed.

As the reference lacks at least two of the claimed structural features, it cannot be
said to anticipate the invention as claimed and the rejection is traversed.

Accordingly, in view of the above amendments and comments, Applicant
considers that the claims in the case are in condition for allowance, which action
is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Roger Aceto", written over a horizontal line.

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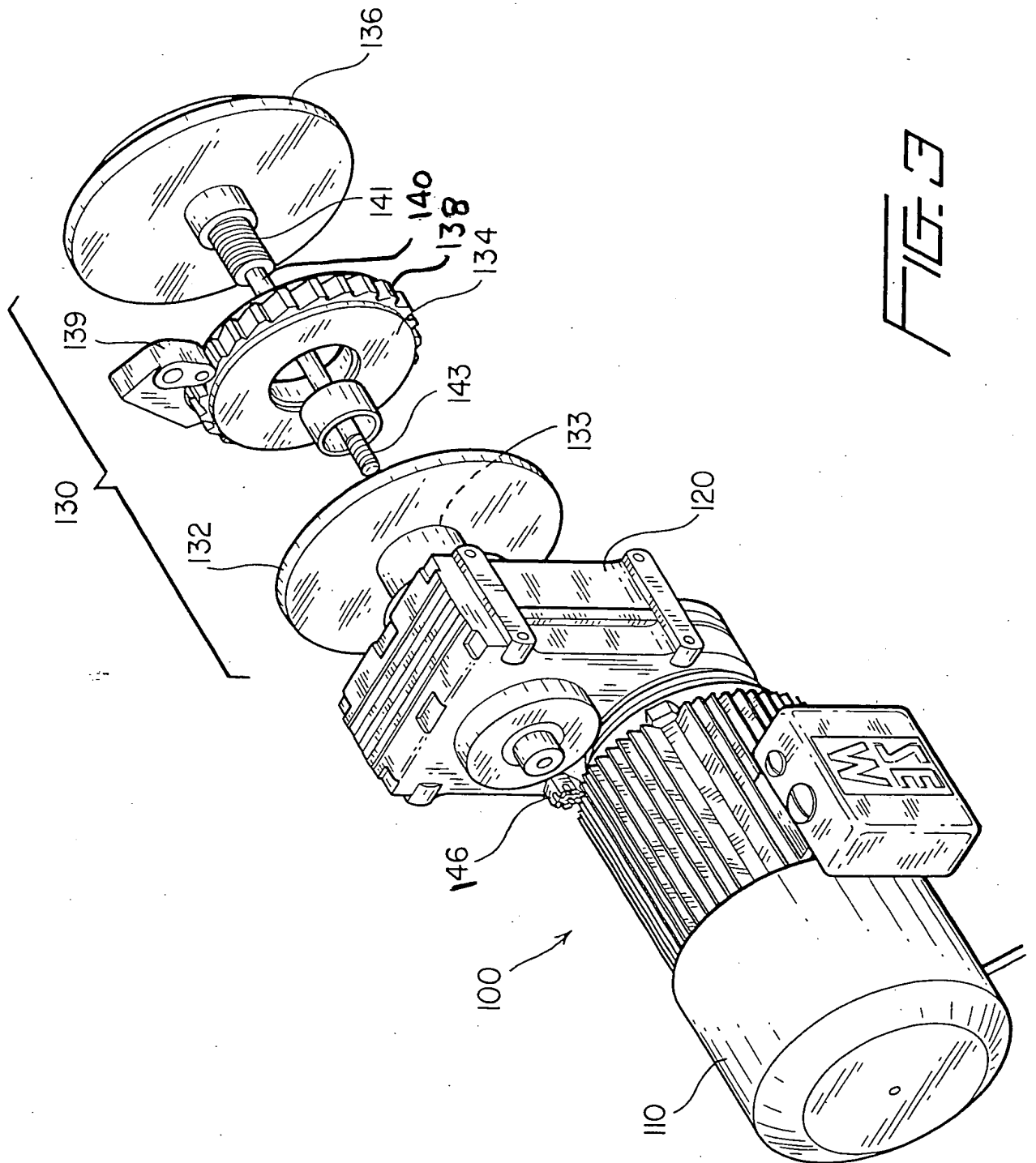


FIG. 3